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1638

PATENT  
Docket No.: 19603/3296 (CRF D-2098B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

)  
Applicants: Bogdanove et al. ) Examiner:  
Serial No.: 09/596,784 ) Unknown  
Filed: June 19, 2000 ) Art Unit:  
For: HYPERSENSITIVE RESPONSE ELICITOR ) 1638  
FROM *ERWINIA AMYLOVORA*, ITS USE, AND  
ENCODING GENE )  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith in the above-identified application are:

- Submission of Corrected Combined Declaration and Power of Attorney Forms (with 2 corrected Combined Declaration and Power of Attorney Forms attached);
- Request for Corrected Filing Receipt;
- Second Preliminary Amendment; and
- A self-addressed, prepaid postcard for acknowledging receipt.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 14-1138.

A duplicate copy of this sheet is enclosed.

Date: September 20, 2000

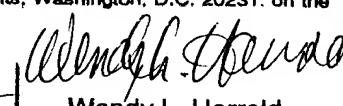
  
Edwin V. Merkel  
Registration No. 40,087

Nixon Peabody LLP  
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R431539.1

Certificate of Mailing--37 CFR 1.8 (a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.

9/20/00   
Data Wendy L. Harrold



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SUBMISSION OF CORRECTED COMBINED DECLARATION  
AND POWER OF ATTORNEY FORMS

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

Applicants submit herewith copies of two **corrected** Combined Declaration and Power of Attorney forms as filed on May 11, 2000, in the parent application (U.S. Patent Application Serial No. 09/120,663) to the above-identified patent application.

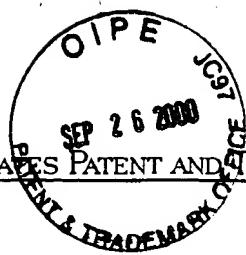
If any fees are due in regard to the submission of this Combined Declaration and Power of Attorney, please charge our Deposit Account No. 14-1138.

Date: September 20, 2000

  
Edwin V. Merkel  
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Date	Wendy L. Harrold



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/596,784	06/19/2000	1638	345	19603/3296 (CRF D- 2098B)	5	18	1

Michael L Goldman  
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## FILING RECEIPT



\*OC000000005382929\*

Date Mailed: 09/07/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

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## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/120,663 07/22/1998  
WHICH CLAIMS BENEFIT OF 60/055,106 08/06/1997 \*  
(\*) Data inconsistent with PTO records.

## Foreign Applications

60/055,106 08/06/1997

If Required, Foreign Filing License Granted 08/10/2000

\*\* SMALL ENTITY \*\*

## Title

Hypersensitive response elicitor from Erwinia amylovora, its use, and encoding gene

## Preliminary Class

435

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Data entry by : SAHLE, ALMAZ

Team : OIPE

Date: 09/07/2000

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
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